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Application Number

10/705,618

Filing Date

November 10, 2003

First Named Inventor

Lynn E. SPITLER

Art Unit

N/A

Examiner Name

Not Yet Assigned

Attorney Docket Number

204372000902

ENCLOSURES (Check all that apply)

☐ Fee Transmittal Form☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement
(3 pages); Form PTO-1449 (7 pages)☐ Certified Copy of Priority
Document(s)☐ Response to Missing Parts/
Incomplete Application☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
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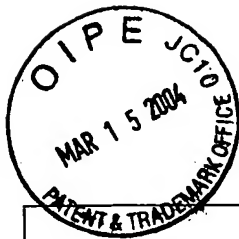
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March 10, 2004

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PATENT
Docket No. 204372000902

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Lynn E. SPITLER et al.

Serial No.: 10/705,618

Filing Date: November 10, 2003

For: THERAPEUTIC PROPERTIES OF
LIPOSOME-ENCAPSULATED
IMMUNOMODULATORS

Examiner: Unassigned

Group Art Unit: 1642

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents were previously submitted in an Information Disclosure Statement and/or Office Action directed to the related applications Serial Number 09/764,546 filed 17 January 2001, published on 23 January 2003 as Pub. No. 20030017976A1, and Serial Number 09/226,075 filed 6 January 1999, now abandoned; accordingly, copies are not included herewith. This protocol

conforms with 37 C.F.R. § 1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of ___ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of ___ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does

not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 204372000902. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: March 10, 2004

Respectfully submitted,

By: Kate H. Murashige

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Form PTO-1449

Docket Number 204372000902

Application Number 10/705,618

INFORMATION DISCLOSURE CITATION IN AN APPLICATION

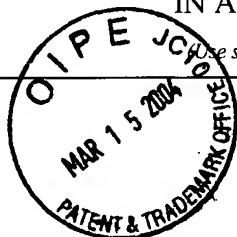
Applicant:

Lynn E. SPITLER et al.

Filing Date November 10, 2003

Group Art Unit 1642

Mailing Date March 10, 2004



(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	08/30/94	5,342,977	Baschang <i>et al.</i>			
	2.	03/05/96	5,496,804	Reed <i>et al.</i>			
	3.	10/15/96	5,565,478	Kohn <i>et al.</i>			

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	4.	06/23/93	EP 0 548 024 A	Europe			

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	5.	Arbibe, L., <i>et al.</i> , "Endotoxin Induces Expression Of Type II Phospholipase A2 In Macrophages During Acute Lung Injury In Guinea Pigs," J. IMMUNOL., (1997) 159:391-400
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26.	Dong, Z. et al., "Protein Tyrosine Kinase Inhibitors Decrease Induction Of Nitric Oxide Synthase Activity In Lipopolysaccharide-Responsive And Lipopolysaccharide-Nonresponsive Murine Macrophages," J. IMMUNOL., (1993) 151:2717-25		
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EXAMINER:			
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EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.			

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